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STAFF RULES

RULES 301.1 TO 312.6 GOVERNING APPOINTMENTS FOR SERVICE OF A LIMITED DURATION

SECRETARY-GENERAL'S BULLETIN

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SECRETARY-GENERAL'S BULLETIN

STAFF RULES - 300 SERIES

1. The Secretary-General promulgates staff rules 301.1 to 312.6, applicable to staff specifically engaged for short-term service and appointments of limited duration, in a revised edition.

2. The present edition incorporates amendments to the Staff Rules that have been published previously. In addition, it introduces a number of new amendments, as described below.

3. The preface to the 300 series and paragraph (a) (ii) of rule 301.1 are amended in order to remove the reference to a minimum duration of three months for appointments of limited duration.

4. Rule 301.2, Hours of work and official holidays, is amended to implement General Assembly resolution 52/214 of 22 December 1997 and decision 52/468 of 31 March 1998.

5. Rule 306.1, Joint Staff Pension Fund, is amended to include a reference to the pensionable remuneration scales set out in appendix C.

6. Rule 306.2, Sick leave, is amended to harmonize its provisions with rules 106.2 and 206.3.

7. A new rule 309.6, Last day for pay purposes in case of death, extends to staff serving on appointments of limited duration a benefit provided to staff by rules 109.10 and 209.11, under which a lump-sum payment is made to the surviving spouse and dependent children of a staff member who dies in the service of the Organization.

8. The previous rule 309.6, Certification of service, is renumbered as rule 309.7.

9. The revised text of the 300 series of the Staff Rules is attached to the present bulletin. Unless otherwise indicated, the effective date of the amendments introduced in the present bulletin is 1 July 1999.

10. The present bulletin supersedes Secretary-General's bulletin ST/SGB/Staff Rules/3/Rev.5 of 1 January 1994.

(Signed) Kofi A. ANNAN
Secretary-General

SCOPE AND PURPOSE OF THE 300 SERIES OF STAFF RULES

The 300 series of the Staff Rules is applicable to staff members recruited specifically to meet special needs of the United Nations for services of a limited duration. The Rules provide for two types of non-career appointment:

(a) Short-term (ST) appointments, for a period not exceeding six months. The purposes for which such appointments may be made are for assistance in dealing with peak workloads or meeting unforeseen demands, to cover essential work which, as a result of vacancies or absences for mission service, cannot be performed by regular staff; and to provide services for conferences and other short-term purposes;

(b) Appointments for activities of a limited duration (LD appointments), including peacekeeping, peacemaking and humanitarian missions, technical cooperation in the field and other emergency operations. Such appointments are intended for assignments not expected to exceed three years, with a possibility of extension, exceptionally, for a fourth and final year. Under no circumstances will an extension beyond four years be granted.

These Rules are to be read in conjunction with the Staff Regulations of the United Nations, which are enacted by the General Assembly. The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat.

The Secretary-General, as the Chief Administrative Officer, provides and enforces such Staff Rules, consistent with the principles expressed in the Staff Regulations, as he considers necessary.

Rules 301.1 to 312.6 are numbered to show their relationship with the articles of the Staff Regulations. Thus rule 301.3 deals with a subject covered by article I of the Regulations; rule 306.2 deals with a subject covered by article VI of the Regulations; and rule 312.1 deals with a subject covered by article XII of the Regulations.

The articles of the Staff Regulations are:

Article		Rules
I	Duties, obligations and privileges	301.1-301.5
II	Classification of posts and staff	
III	Salaries and related allowances	303.1-303.6
IV	Appointment and promotion	304.1-304.7
V	Annual and special leave.....	305.1-305.2
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CHARTER OF THE UNITED NATIONS

Provisions relating to service of the staff

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staff shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staff shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

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STAFF RULES 301.1-312.6
GOVERNING APPOINTMENTS FOR SERVICE OF A LIMITED DURATION

Rule 301.1

Applicability

(a) Staff rules 301.1 to 312.6 are applicable to staff members:

(i) Specifically engaged on short-term (ST) appointments for conference and other short-term service for a period not exceeding six consecutive months, at all duty stations where separate rules for such staff have not otherwise been established;

(ii) Specifically recruited on limited duration (LD) appointments for activities of a limited duration not expected to exceed three years, including peacekeeping and peacemaking, humanitarian, technical cooperation and emergency operations.

(b) The Secretary-General may establish special conditions of employment applicable to short-term language staff at the Professional level on specific assignments.

Rule 301.2

Hours of work and official holidays

(a) The Secretary-General shall set the normal number of working hours per week for each duty station. Exceptions may be made by the Secretary-General as the needs of the service may require. A staff member shall be required to work beyond the normal tour of duty whenever requested to do so.

(b) The number of official holidays at each duty station shall be ten days in each year, including those official holidays mandated by the General Assembly, which shall be observed at all duty stations. The Secretary-General shall set for each duty station the official holidays not mandated by the General Assembly and notify the staff accordingly.

Rule 301.3

Non-acceptance of any honour, decoration, favour, gift or remuneration from outside sources

(a) No staff member shall accept any honour, decoration, favour, gift or remuneration from an external source without first obtaining the approval of the Secretary-General.

(b) Approval shall not be granted if the honour, decoration, favour, gift or remuneration is from a Government, excepting for decorations for war service earned before appointment.

(c) If the honour, decoration, favour, gift or remuneration is from a non-governmental source, approval shall be granted only in exceptional cases and

where such acceptance is not incompatible with the terms of staff regulation 1.2 or with the individual's status as an international civil servant.

(d) The provisions of paragraphs (b) and (c) above do not preclude approval of the acceptance of:

(i) Academic awards;

(ii) Reimbursement of travel and subsistence expenses for activities otherwise authorized;

(iii) Tokens of a commemorative or honorary character, such as scrolls or trophies.

Rule 301.4

Outside activities and interests

(a) Staff members shall not engage in any continuous or recurring outside occupation or employment without the prior approval of the Secretary-General.

(b) No staff member may be actively associated with the management of, or hold a financial interest in, any business concern if it were possible for the staff member to benefit from such association or financial interest by reason of his or her official position with the United Nations.

(c) A staff member who has occasion to deal in his or her official capacity with any matter involving a business concern in which he or she holds a financial interest shall disclose the measure of that interest to the Secretary-General.

(d) The mere holding of shares in a company shall not constitute a financial interest within the meaning of this rule unless such holding constitutes a substantial control.

(e) Staff members shall not, except in the course of official duties or with the prior approval of the Secretary-General, perform any one of the following acts, if such act relates to the purposes, activities, or interests of the United Nations:

(i) Issue statements to the press, radio or other agencies of public information;

(ii) Accept speaking engagements;

(iii) Take part in film, theatre, radio or television productions;

(iv) Submit articles, books or other material for publication.

Rule 301.5

Membership in political parties and political activities

(a) Membership in a political party is permitted provided that such membership does not entail action, or obligation to action, contrary to staff

regulation 1.2 (h). The payment of normal financial contributions shall not be construed as an activity contrary to staff regulation 1.2 (h).

(b) In any case of doubt as to the interpretation of application of staff regulation 1.2 (h) and the present rule, the staff member concerned shall request a ruling from the Secretary-General.

Rule 303.1

Salaries

(a) The Secretary-General shall set the salary rates for each duty station for staff members appointed under these Rules as follows:

(i) For staff recruited for conference and other short-term service under rule 301.1 (a) (i) (ST appointments), in appendix A;

(ii) For staff recruited specifically for service of a limited duration, under rule 301.1 (a) (ii) (LD appointments), in appendix C.

(b) Salaries and emoluments of staff appointed under these Rules shall be subject to the staff assessment plan under the conditions specified in staff regulation 3.3 and paragraph (c) of this rule.

(c) Staff appointed under these Rules at the Professional level and above shall be governed by the rates of the staff assessment for staff without dependants specified in staff regulations 3.3 (b) (i). All other short-term staff shall be governed by the rates set forth in staff regulation 3.3 (b) (ii).

Rule 303.2

Overtime, compensatory time off and night differential

Conditions for the granting of compensatory time off or for the payment of overtime or night differential at each duty station shall be set by the Secretary-General.

Rule 303.3

Retroactivity of payments

A staff member who has not received a payment to which he or she is entitled shall not receive such payment unless the staff member makes a claim in writing within one year from the date on which he or she would have been entitled to the payment.

Rule 303.4

Dependency allowances

Staff members appointed under these Rules shall not be eligible for dependency allowances.

Rule 303.5

Deductions and contributions

(a) Staff assessment, at the rates and subject to the conditions prescribed in staff regulation 3.3 and rule 303.1, shall be deducted each pay period from the total payments due to each staff member.

(b) The Secretary-General may make deductions from payments due from the United Nations for indebtedness to the United Nations or to third parties, for lodging provided by the United Nations, by a Government or by a related institution, or for contributions for which provision is made under these Rules.

Rule 303.6

Salary advances

Salary advances may be made to staff members appointed under these Rules:

(a) In cases where staff members do not receive their regular pay cheque through no fault of their own, in the amount due;

(b) In cases where new staff members arrive without sufficient funds, in such amounts as the Secretary-General may deem appropriate.

Rule 304.1

Letter of appointment

The letter of appointment granted to every staff member contains expressly or by reference all the terms and conditions of employment. All contractual entitlements of staff members are strictly limited to those contained expressly or by reference in their letters of appointment.

Rule 304.2

Effective date of appointment

(a) The appointment of a staff member on short-term (ST) appointment shall take effect from the date on which the staff member starts to perform his or her duties, provided that this date may be adjusted in the case of a non-locally recruited staff member to include all or part of the period spent in travel by a route and mode of transportation approved in the staff member's case by the Secretary-General.

(b) The appointment of staff engaged for activities of a limited duration under staff rule 301.1 (a) (ii) (LD appointment) shall take effect from the date on which the staff member enters into official travel status to assume his or her duties, or, if no official travel is involved, from the date on which the staff member starts to perform his or her duties.

Rule 304.3

Notification by staff members and obligation to supply information

(a) Staff members appointed under these Rules shall be responsible for supplying the Secretary-General with whatever information may be required for the purpose of determining their status under the Staff Regulations and Staff Rules or of completing administrative arrangements in connection with their appointments. Specifically, this requirement shall include information on nationality, passport and visa, marital status, dependency status and designation of beneficiary, and concerning any financial interest the staff member may hold in any business concern with which he or she may have to deal as a staff member.

(b) Staff members shall also be responsible for promptly notifying the Secretary-General, in writing, of any subsequent changes affecting their status under the Staff Regulations and Staff Rules.

(c) A staff member who is arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding or convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Secretary-General.

Rule 304.4

Temporary appointments

(a) All appointments under these Rules are temporary appointments for a fixed term, the period of which is specified in the letter of appointment. Appointments granted under these Rules may be terminated prior to their expiration dates in accordance with the provisions of rule 309.1. Appointments under these Rules carry no expectancy of renewal or of conversion to any other type of appointment.

(b) Appointments under staff rule 301.1 (a) (ii) (LD appointments) may be granted for a period not exceeding three years, subject to renewal, exceptionally, for a final period of one year.

Rule 304.5

Local and non-local recruitment

(a) Staff members appointed under these Rules who have been recruited in the country of the duty station shall be regarded as local recruits. They shall be eligible for the salary rate applicable to local recruits, but not for payment of travel expenses upon appointment or on separation other than as provided under paragraph (c) below.

(b) Staff members appointed under these Rules who have been recruited outside the country of the duty station shall be regarded as non-local recruits. They shall be eligible for the salary rate applicable to non-local recruits and for payment of travel expenses upon appointments and separation, in accordance with these Rules.

(c) A staff member recruited within the country of the duty station may nevertheless be regarded as non-locally recruited if, in the opinion of the Secretary-General, the staff member's normal place of residence at the time of recruitment and the nature of the post for which he or she has been recruited so warrant. Such a staff member shall be eligible for payment of salary at the rates applicable to non-local recruits and for payment of transportation expenses only as determined by the Secretary-General in each case.

Rule 304.6

Family relationships

(a) Except where another person equally well qualified cannot be recruited, appointment shall not normally be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

(b) The husband or wife of a staff member may be appointed provided that he or she is fully qualified for the post for which he or she is being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

(c) Staff members who bear any of the relationships specified in paragraphs (a) and (b) above shall not be assigned to serve in the same department if one of the posts is subordinate to the other in the line of authority.

(d) If two staff members marry, the benefits and entitlements which accrue to them shall be modified as provided in the relevant Staff Rules; their appointment status shall not, however, be affected.

Rule 304.7

Medical examination

(a) Staff members may be required from time to time to satisfy the United Nations Medical Officer, by medical examination, that they are free from any ailment likely to impair the health of others.

(b) Staff members may also be required to undergo such medical examinations and receive such inoculations as may be required by the United Nations Medical Officer, within three months of initial appointment under rule 301.1 (a) (ii), or before they go on or after they return from official travel on behalf of the Organization.

Rule 305.1

Annual leave

(a) Staff members recruited in accordance with staff rule 301.1 (a) (i) (ST appointments) shall not be eligible for annual leave.

(b) The Secretary-General shall set terms and conditions under which annual leave may be allowed to staff members specifically recruited for service of limited duration under staff rule 301.1 (a) (ii) (LD appointments).

Rule 305.2

Special leave

Staff members appointed under these Rules may be granted special leave, with full or partial pay or without pay, for compelling reasons for such period as the Secretary-General may deem appropriate in the circumstances.

Rule 306.1

Joint Staff Pension Fund

Staff members appointed under these Rules, who meet the requirements of article 21 of the Regulations of the United Nations Joint Staff Pension Fund, shall become participants in the Joint Staff Pension Fund provided that participation is not excluded by the terms of their appointment. The pensionable remuneration for staff members who become participants in the Pension Fund shall be set out in appendices A and C to these Rules.

Rule 306.2

Sick leave

Staff members appointed under these Rules who are unable to perform their duties by reason of illness or injury or whose attendance is prevented by public health requirements will be granted sick leave in accordance with the following provisions:

(a) All sick leave must be approved on behalf of the Secretary-General;

(b) Entitlement to sick leave shall be subject to a maximum rate of two working days for each full month of continuous service. Subject to the conditions provided in this rule, sick leave credits will be available at any time during service; however, should separation occur before the expiration date of the appointment, sick leave credits will be recalculated on the basis of the actual period of service;

(c) Any absence of more than two consecutive working days must be supported by a medical certificate in all cases. After a staff member has taken uncertified sick leave totalling three working days within any period of six months of continuous service, any further absence from duty within that period shall either be supported by a medical certificate or charged as special leave without pay;

(d) A staff member may be required at any time to submit a medical report as to their condition or to undergo a medical examination by the United Nations medical services or a medical practitioner designated by the Medical Director. When, in the opinion of the Medical Director, a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly

qualified medical practitioner. The staff member shall comply promptly with any direction or request under this rule;

(e) A staff member shall immediately notify a United Nations medical officer of any case of contagious disease occurring in his or her household or of any quarantine order affecting the household. In such a case, or in the case of any other conditions which may affect the health of others, the Medical Director shall decide whether the staff member should be excused from attendance at the office. If so, the staff member shall receive full salary and other emoluments for the period of authorized absence;

(f) A staff member, while on sick leave, shall not leave the area of the duty station without the prior approval of the Secretary-General.

Rule 306.3

Medical insurance

(a) Staff members engaged under rule 301.1 (a) (i) may participate in a United Nations medical insurance scheme under conditions established by the Secretary-General.

(b) Staff members engaged under rule 301.1 (a) (ii) shall participate in a medical insurance scheme under conditions established by the Secretary-General unless specifically exempted from such participation. The United Nations shall not be responsible for the medical expenses of staff members who are exempted from participation in a medical insurance scheme provided by the United Nations except in accordance with the provisions of staff rule 306.4 on compensation for death, injury or other disability attributable to service.

Rule 306.4

Compensation for death, injury or other disability attributable to service

Staff members appointed under these Rules shall be entitled to compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the United Nations. The Secretary-General shall decide in each case whether to apply the provisions of appendix D to the Staff Rules or to offer comparable compensation.

Rule 306.5

Compensation for loss of, or damage to, personal effects attributable to service

Staff members appointed under these Rules shall be entitled, within the limits and under the conditions established by the Secretary-General, to reasonable compensation in the event of loss or damage to their personal effects determined to be directly attributable to the performance of official duties on behalf of the United Nations.

Rule 307.1

Official travel

The United Nations shall pay the authorized travel expenses of staff members appointed under these Rules under the following circumstances:

(a) In respect of non-locally recruited staff members, on appointment and separation;

(b) On official business for the United Nations;

(c) On travel authorized for medical or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses.

Rule 307.2

Authority for travel

(a) Before travel is undertaken it shall be authorized in writing. In exceptional cases, staff members may be authorized to travel on oral orders but such oral authorization shall require written confirmation. A staff member shall be personally responsible for ascertaining that he or she has the proper authorization before commencing travel.

(b) Unless the staff member is specifically authorized to make other arrangements, all tickets for transportation involving official travel shall be purchased by the United Nations in advance of the actual travel.

Rule 307.3

Expenses for travel

(a) Except as provided in paragraph (c) below, travel expenses shall normally cover the actual cost of transportation on official travel by a route, mode and standard of transportation approved by the Secretary-General, together with terminal expenses at rates and under conditions established by the Secretary-General.

(b) The United Nations shall pay only for transportation and accommodations actually authorized and used. All claims for reimbursement of travel expenses must be supported by receipts.

(c) The Secretary-General may establish a lump-sum arrangement for travel on appointment and separation of staff specifically recruited for service of a limited duration in accordance with rule 301.1 (a) (ii) (LD appointments).

(d) Official travel on behalf of the United Nations, other than travel on appointment or separation as covered by these Rules, shall be governed by the corresponding travel rules in the 100 series of Staff Rules.

(e) The Secretary-General may reject any claim for payment or reimbursement of travel expenses which are incurred in contravention of any provision of these Rules.

Rule 307.4

Subsistence allowance

(a) A staff member appointed under these Rules who is authorized to travel at United Nations expense shall receive an appropriate subsistence allowance in accordance with a schedule of rates established from time to time.

(b) When a non-locally recruited staff member whose salary rate is set forth in section I of appendix A to these Rules is assigned to another duty station for two weeks or more and receives a travel subsistence allowance under paragraph (a) above, the net salary of the staff member shall be changed from the non-local rate to the local rate at the first duty station for the duration of the assignment to the other duty station.

Rule 307.5

Loss of entitlement for return transportation

A staff member appointed under these Rules who resigns shall not normally be entitled to payment of return travel expenses. The Secretary-General may, however, authorize such payment if there are compelling reasons for so doing.

Rule 307.6

Excess baggage and unaccompanied shipments

(a) For the purposes of these Rules "excess baggage" shall mean baggage in excess of the weight or volume carried without extra charge by transportation companies.

(b) Staff members travelling by air economy class or its equivalent shall be entitled to payment of excess baggage to the extent of the difference between the free baggage allowance by first class and by economy class or its equivalent.

(c) When baggage is carried without charge by one transportation company, but considered as excess by a company furnishing subsequent transportation other than by air, the traveller may be reimbursed for the charges involved provided he or she obtains a statement from the company making the charge that the baggage was considered as excess.

(d) Charges for excess baggage by air, other than those authorized under paragraph (b) above, shall not be reimbursable unless, in the opinion of the Secretary-General, the circumstances under which the staff member is travelling are of a sufficiently exceptional and compelling nature to warrant such reimbursement.

(e) Except as provided in paragraph (f) below, when a staff member appointed under these Rules travels at United Nations expense, the Secretary-General may authorize the shipment of personal effects by the most economical means, up to a maximum of 100 kilograms (220 pounds) or 0.6 cubic metres (22 cubic feet), including the weight or volume of packing but excluding crating and lift vans. Where surface shipment is the most economical means of transport,

surface shipment shall normally be authorized. However, the conversion to air freight of the whole surface shipment may be authorized on the basis of half the weight or volume of the authorized surface entitlement.

(f) In lieu of the arrangements in paragraph (e) above, the Secretary-General may make a lump-sum payment to assist in meeting expenses for shipment of personal effects of staff appointed specifically for service of a limited duration (LD appointments) in accordance with rule 301.1 (a) (ii).

Rule 307.7

Insurance

Staff members shall not be reimbursed for the cost of personal accident insurance or of insurance of accompanied personal baggage. However, compensation may be paid in respect of loss or damage to accompanied personal baggage, in accordance with such arrangements as may be in force under rule 306.5.

Rule 308.1

Staff relations

Rule 108.1 on staff representative bodies and rule 108.2 on joint staff-management machinery shall apply to staff members appointed under these Rules. Their texts are reproduced in appendix E to these Rules.

Rule 309.1

Resignation

(a) A resignation within the meaning of the Staff Regulations is a separation initiated by the staff member.

(b) Unless otherwise specified in their letter of appointment, staff members recruited under these Rules shall give written notice of resignation. The following period of notice shall apply:

(i) One week for locally recruited staff on an ST appointment under rule 301.1 (a) (i);

(ii) Two weeks for non-locally recruited staff on an ST appointment under rule 301.1 (a) (i);

(iii) Thirty days for staff recruited on an LD appointment under rule 301.1 (a) (ii).

The Secretary-General may, however, accept resignations on shorter notice.

Rule 309.2

Termination

(a) A termination within the meaning of the Staff Regulations is a separation from service initiated by the Secretary-General, other than summary dismissal for serious misconduct.

(b) The appointment of a staff member appointed under these Rules may be terminated at any time if, in the Secretary-General's opinion, such action would be in the interest of the United Nations.

Rule 309.3

Notice of termination

(a) Staff appointed under these Rules whose contracts are to be terminated prior to the specified expiration date shall be given not less than one week's written notice in the case of locally recruited staff members, and two weeks' written notice in the case of non-locally recruited staff members, or as otherwise provided in the letter of appointment.

(b) In lieu of the notice period, the Secretary-General may authorize compensation calculated on the basis of the salary which the staff member would have received had the date of termination been at the end of the notice period.

Rule 309.4

Termination indemnity

In accordance with paragraph (e) of annex III to the Staff Regulations, staff members appointed under these Rules shall not be paid a termination indemnity unless such payment is specified in the letter of appointment.

Rule 309.5

Expiration of appointments

(a) Appointments under these Rules shall expire automatically and without prior notice on the expiration date of the period specified in the letter of appointment.

(b) Separation as a result of the expiration of any such appointment shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

Rule 309.6

Last day for pay purposes in case of death

When separation of a staff member engaged under rule 301.1 (a)(ii) results from death occurring in the course of the appointment, entitlement to salary and emoluments shall cease as from the date of death. However, when there is a

surviving spouse or one or more dependent children, a lump sum of three months' gross salary less staff assessment shall be paid to the surviving spouse and any dependent children, to be divided equally among those beneficiaries.

Rule 309.7

Certification of service

Any staff member appointed under these Rules who so requests shall, on leaving the service of the United Nations, be given a statement relating to the nature of his or her duties and the length of service. On the staff member's written request, the statement shall also refer to the quality of his or her work and official conduct.

Rule 310.1

Disciplinary measures

(a) Failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant, may amount to unsatisfactory conduct within the meaning of staff regulation 10.2, leading to the institution of disciplinary proceedings and the imposition of disciplinary measures for misconduct.

(b) If an allegation of misconduct is made against a staff member and the Secretary-General so decides, the staff member may be suspended from duty, without prejudice to his or her rights. Such suspension shall be with pay unless, in exceptional circumstances, suspension without pay is appropriate. A staff member suspended under this paragraph shall be given a written statement of the reason for the suspension.

(c) In any case involving possible disciplinary action, the Secretary-General may refer the matter to a standing Joint Disciplinary Committee, or may establish, on an ad hoc basis, machinery to advise him before any decision is taken.

(d) No disciplinary proceedings may be instituted unless the staff member has been notified of the allegations against him or her, as well as of his or her right to seek the assistance in his or her defence of another staff member or retired staff member, and has been given a reasonable opportunity to respond to these allegations.

(e) Disciplinary measures under these Rules may take one or more of the following forms:

(i) Written censure;

(ii) Suspension without pay;

(iii) Fine;

(iv) Separation from service, with or without notice or compensation in lieu of notice;

(v) Summary dismissal.

Rule 311.1

Appeals

Rule 111.1 on establishment and rule 111.2 on appeals shall apply to staff members appointed under these Rules. Their texts are reproduced in appendix E to these Rules.

Rule 312.1

Amendment of Staff Rules

Subject to regulations 12.1, 12.2, 12.3, 12.4 and 12.5, these Rules may be amended by the Secretary-General in a manner consistent with the Staff Regulations.

Rule 312.2

Financial responsibility

Any staff member may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of the staff member's negligence or of his or her having violated any regulation, rule or administrative instruction.

Rule 312.3

Liability insurance

In accordance with General Assembly resolution 22 E (I), staff members who own or drive motor cars shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or from damage to the property of others caused by their cars.

Rule 312.4

Staff member's beneficiaries

(a) At the time of appointment each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of the staff member to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of a staff member, all amounts standing to the staff member's credit will be paid to his or her nominated beneficiary or beneficiaries subject to application of the Staff Rules. Such payment shall

afford the United Nations a complete release from all further liability in respect to any sum so paid.

(c) If a nominated beneficiary does not survive or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member will, upon the staff member's death, be paid to his or her estate.

Rule 312.5

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his or her official duties, shall be vested in the United Nations.

Rule 312.6

Effective date of Staff Rules

Except as otherwise indicated and subject always to the provisions of regulations 12.1, 12.2, 12.3, 12.4 and 12.5, staff rules 301.1 to 312.6, as published in the present revision (ST/SGB/1999/12), shall be effective 1 July 1999. Any special conditions entered into in an individual letter of appointment will, however, continue to govern the appointment.

APPENDICES TO THE 300 SERIES OF THE STAFF RULES

Appendix A

SALARY RATES FOR CONFERENCE AND OTHER SHORT-TERM STAFF AT HEADQUARTERS UNDER RULE 301.1 (a) (i)

I. Monthly salary rates for staff in the Professional and higher categories at Headquarters[a]

(United States dollars)

Effective 1 March 1999

	Local		Non-local[b]	
Level	Gross	Net	Gross	Net
USG	15 995	11 224	16 832	12 061
ASG	14 588	10 359	15 686	11 456
D-2	12 047	8 795	13 614	10 362
D-1	10 708	7 938	12 533	9 763
P-5	9 490	7 146	11 554	9 209
P-4	7 872	6 050	10 265	8 443
P-3	6 480	5 092	9 161	7 773
P-2	5 259	4 242	8 196	7 179
P-1	4 051	3 377	7 247	6 574

[a] The Secretary-General may establish appropriate alternative rates for special assignments.

[b] Includes subsistence allowance.

II. Salary rates for translators and revisers[a]

(United States dollars)

A. Daily rates

	Base pay		Effective 1 March 1999 Local recruits[b]		Effective 1 April 1999 Non-local recruits[c] [d]	
	Gross	Net	Gross	Net	Gross	Net
Translator I	164.00	120.10	211.30	167.40	193.15	149.25
Translator II	203.35	144.20	260.11	200.96	238.30	179.15
Translator III/ Reviser I	243.60	168.35	309.82	234.57	284.40	209.15
Translator IV/ Reviser II	273.95	186.35	347.48	259.88	319.25	231.65
Reviser III	305.60	204.25	386.01	284.66	355.15	253.80

B. Monthly rates

	Base pay		Effective 1 March 1999 Local recruits[b]		Effective 1 April 1999 Non-local recruits[c] [e]	
	Gross	Net	Gross	Net	Gross	Net
Translator I	4 417	3 234	5 694	4 511	5 204	4 021
Translator II	5 473	3 881	7 004	5 412	6 416	4 82[illegible]
Translator III/ Reviser I	6 556	4 531	8 345	6 320	7 658	5 633
Translator IV/ Reviser II	7 372	5 015	9 350	6 993	8 591	6 234
Reviser III	8 226	5 498	10 393	7 665	9 561	6 833

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[a] The terms "translators" and "revisers" in this section include, as appropriate, précis writers, verbatim reporters and editors of Official Records and publications.

[b] Including post adjustment.

[c] Including cost-of-living supplement.

[d] In addition, entitled to a daily subsistence allowance of $275.

[e] In addition, entitled to a daily subsistence allowance of $275 for first 30 days, $234 for next 30 days, $183 from the 61st day and $137 from the 121st day.

III. Salary rates for interpreters

A. World rate

(United States dollars)

Effective 1 July 1999

	Daily[a]		Monthly[b]	
	Gross	Net	Gross	Net
Group I	392.50	362.50	10 553.00	9 757.00
Group II	254.50	241.50	6 861.00	6 500.00

B. Americas rate

Group I	385.00	355.00	10 351.00	9 555.00
Group II	249.50	236.50	6 727.00	6 366.00

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[a] In addition, if non-locally recruited, entitled to a daily subsistence allowance of $275.

[b] In addition, if non-locally recruited, entitled to a daily subsistence allowance of $275 for the first 30 days, $234 for the next 30 days, $183 from the 61st day and $137 from the 121st day.

IV. Salary rates for conference and other short-term staff[a]

Monthly standard salary rates for staff in the General Service, Conference Typists, Security Service and Trades and Crafts categories at Headquarters

(United States dollars)

Effective 1 March 1999

General Service

Level	Local recruits		Non-local recruits[b]	
	Gross	Net	Gross	Net
G-7	4 214	3 291	7 724	6 801
G-6	3 800	2 978	7 310	6 488
G-5	3 416	2 695	6 926	6 205
G-4A	3 202	2 532	6 712	6 042
G-4	3 081	2 439	6 591	5 949
G-3C	3 107	2 459	6 617	5 969
G-3B	2 998	2 375	6 508	5 885
G-3A	2 888	2 291	6 398	5 801
G-3	2 779	2 207	6 289	5 717
G-2B	2 902	2 301	6 412	5 811
G-2A	2 705	2 149	6 215	5 659
G-2	2 507	1 997	6 017	5 507
G-1	2 262	1 808	-	-
Conference Typists				
CT-C	3 326	2 627	-	-
CT-B	3 107	2 459	6 617	5 969
CT-A	2 888	2 291	6 398	5 801
Security Service				
S-3B	4 159	3 244		
S-3A	3 796	2 976		
S-2	3 419	2 697		
S-1	3 052	2 417		
Trades and Crafts				
TC-5	4 169	3 252		
TC-4	3 863	3 026		
TC-3	3 557	2 799		
TC-2	3 255	2 573		
TC-1	2 960	2 346		

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[a] The Secretary-General may establish appropriate alternative rates for special assignments.

[b] The gross or net rate for non-local recruits consists of the gross or net salary of a local recruit plus a subsistence element of $3,510.

Appendix B

OVERTIME PAYMENT AND COMPENSATORY TIME OFF FOR SHORT-TERM STAFF AT HEADQUARTERS

(a) Pursuant to rule 303.2, short-term staff members in the General Service and related categories who are required to work overtime at Headquarters shall be given compensatory time off or may receive additional payment in accordance with the following provisions:

(i) Overtime at Headquarters means time worked in excess of the scheduled work day or in excess of the scheduled work week or time worked on official holidays, provided that such work has been authorized by the proper authority;

(ii) The scheduled work day at Headquarters means the duration of the working hours in effect at the time on any day of the scheduled work week, less one hour for a meal;

(iii) The scheduled work week at Headquarters consists of the five working days assigned to the staff member during seven consecutive calendar days;

(iv) Compensation shall take the form of an equal amount of compensatory time off for overtime in excess of the scheduled work day up to a total of eight hours of work on the same day. Subject to the exigencies of the service, such compensatory time off may be given at any time during the four months following the month in which the overtime takes place. If, upon separation from service, a staff member has accrued compensatory time off, he or she may be paid in lieu thereof a sum of money corresponding to the net base salary for an equivalent number of hours;

(v) Compensation shall take the form of an additional payment for overtime in excess of a total of eight hours of work in any day of the scheduled work week, or when it takes place on the sixth or seventh day of the scheduled work week;

(vi) Compensation for overtime shall take the form of an additional payment when it takes place on an official holiday, provided that the Secretary-General may require all staff members at Headquarters to work on a holiday that falls during a period of exigency. In that event, the Secretary-General shall set another working day to be observed as the holiday, and the holiday falling during the period of exigency shall be treated as a normal working day;

(vii) a. The additional payment referred to in subparagraph (v) above shall be made at the rate of one-and-one-half times the staff member's net base salary rate, except that if the overtime work takes place on a Sunday or on the seventh day of the scheduled work week, the rate of the additional payment shall be twice the staff member's net base salary rate. In the latter case, overtime which takes place on a Sunday will be subject to compensation at the straight or one-and-one-half time rate, as appropriate;

b. The additional payment referred to in subparagraph (vi) above shall be made at the rate of twice the staff member's net base salary rate;

(viii) Compensation for overtime shall be reckoned to the nearest half hour; casual overtime of less than one half hour on any day during the scheduled work week shall be disregarded. A staff member who is required to work on the sixth or seventh day of the week or on an official holiday shall receive no less than four hours of overtime compensation;

(ix) In the interests of the health of the staff and the efficiency of the service, supervisors shall not require a staff member to work more than 40 hours of overtime during any one month, except where unusual exigencies of the service so require.

(b) Short-term staff members at the Professional level and above who work substantial and recurrent periods of overtime may be granted occasional time off for such periods as the Secretary-General may consider appropriate.

Conditions governing night differential

(a) Pursuant to rule 303.2, staff members whose salary rates are set out in section I of appendix A to these Rules shall receive, for any regular working hours between 6 p.m. and 9.30 a.m., a night differential at the rate of 10 per cent of their net base salary, provided that no such differential shall be paid for any part of the tour of duty that begins between 6 a.m. and 9.30 a.m.

(b) Payments shall be reckoned to the nearest hour, and work periods of less than one half hour shall not be taken into consideration.

Appendix C

SALARY RATES FOR STAFF SPECIFICALLY RECRUITED FOR SERVICE OF A LIMITED DURATION UNDER RULE 301.1 (a) (ii)

I. Annual salary rates for staff in the Professional and higher categories

(United States dollars)

Effective 1 March 1999

Level		
USG	Gross	151 440
	Net	94 190
ASG	Gross	137 683
	Net	86 926
D-2	Gross	112 824
	Net	73 801
D-1	Gross	99 848
	Net	66 615
P-5	Gross	88 099
	Net	59 963
P-4	Gross	72 631
	Net	50 767
P-3	Gross	59 386
	Net	42 730
P-2	Gross	47 805
	Net	35 598
P-1	Gross	36 422
	Net	28 341

Service allowance for staff in the Professional and higher categories

Level	A	B	C	D	E
USG	6 593	-	-	-	-
ASG	6 085	-	-	-	-
D-2	5 166	10 332	15 498	20 664	25 830
D-1	4 663	9 326	13 989	18 652	23 315
P-5	4 197	8 395	12 592	16 790	20 987
P-4	3 554	7 107	10 661	14 215	17 768
P-3	2 991	5 982	8 973	11 964	14 956
P-2	2 492	4 984	7 476	9 967	12 459
P-1	1 984	3 968	5 952	7 935	9 919

II. Annual salary rates for staff in the Field Service category

(United States dollars)

Effective 1 March 1999

Level		
FS-7	Gross	72 133
	Net	50 466
FS-6	Gross	59 818
	Net	42 994
FS-5	Gross	50 749
	Net	37 418
FS-4	Gross	43 977
	Net	33 206
FS-3	Gross	38 180
	Net	29 473
FS-2	Gross	33 255
	Net	26 263
FS-1	Gross	29 079
	Net	23 463

Service allowance for staff in the Field Service category

Level	A	B	C	D	E
FS-7	3 533	7 065	10 598	14 130	17 663
FS-6	3 010	6 019	9 029	12 038	15 048
FS-5	2 619	5 239	7 858	10 477	13 096
FS-4	2 324	4 649	6 973	9 298	11 622
FS-3	2 063	4 126	6 189	8 252	10 316
FS-2	1 838	3 677	5 515	7 354	9 192
FS-1	1 642	3 285	4 927	6 570	8 212

III. Annual pensionable remuneration for staff in the Professional and higher categories

(United States dollars)

Effective 1 November 1998

Level	Amount
USG	183 168
ASG	169 298
D-2	140 777
D-1	124 684
P-5	110 348
P-4	91 233
P-3	75 932
P-2	62 294
P-1	48 508

IV. Annual pensionable remuneration for staff in the Field Service category

(United States dollars)

Effective 1 November 1998

Level	Amount
FS-7	90 610
FS-6	76 433
FS-5	65 797
FS-4	57 715
FS-3	50 650
FS-2	44 624
FS-1	39 720

Appendix D

RULES GOVERNING COMPENSATION IN THE EVENT OF DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO THE PERFORMANCE OF OFFICIAL DUTIES (ISSUED SEPARATELY AS SECRETARY-GENERAL'S BULLETIN ST/SGB/STAFF RULES/APPENDIX D/REV.1 and AMEND.1)

Appendix E

STAFF RULES 108.1 AND 108.2 AND 111.1 AND 111.2

Chapter VIII

STAFF RELATIONS

Rule 108.1

Staff representative bodies

Definition. The term "staff representative bodies", as used in the present chapter of the Staff Rules, shall be deemed to include staff councils, as referred to in other chapters of the Rules, as well as other corresponding staff representative bodies established in accordance with staff regulation 8.1 (b).

(a) Staff representative bodies shall be established at the following duty stations: Addis Ababa, Baghdad, Bangkok, Geneva, Jerusalem, Nairobi, New York, Santiago and Vienna. Staff representative bodies may also be established at other duty stations, each of which may affiliate with a staff representative body at one of the duty stations specified above. Staff members serving in duty stations where no staff representative body exists may decide to be represented through a staff representative body at one of the specified duty stations.

(b) Each member of the staff may participate in elections to a staff representative body, and all staff serving at a duty station where a staff representative body exists shall be eligible for election to it, subject to any exceptions as may be provided in the electoral regulations drawn up by the staff representative body concerned and meeting the requirements of regulation 8.1 (b).

(c) Polling officers selected by the staff shall conduct the election of the members of each staff representative body, on the basis of the electoral regulations of the staff representative body concerned, in such a way as to ensure the complete secrecy and fairness of the vote. The polling officers shall also conduct other elections of staff members as required by the Staff Regulations or Staff Rules.

(d) The staff representative bodies shall be entitled to effective participation through their duly elected executive committees, in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies, and shall be entitled to make proposals to the Secretary-General on behalf of the staff.

(e) In accordance with the principle of freedom of association, staff members may form and join associations, unions or other groupings. However, formal contact and communication on the matters referred to in paragraph (d) shall be conducted at each duty station through the executive committee of the staff representative body, which shall be the sole and exclusive representative body for such purpose.

(f) General administrative instructions or directives on questions within the scope of paragraph (d) shall be transmitted in advance, unless emergency situations make this impracticable, to the executive committees of the staff representative bodies concerned for consideration and comment before being placed in effect.

Rule 108.2

Joint staff-management machinery

(a) The joint staff-management machinery provided for in regulation 8.2 shall consist of:

(i) Joint advisory committees or corresponding staff-management bodies, at designated duty stations, normally composed of not less than three and not more than seven staff representatives and an equal number of representatives of the Secretary-General;

(ii) A Secretariat-wide joint staff-management body composed of equal numbers of representatives of the staff and of representatives of the Secretary-General.

(b) The President of the staff-management bodies referred to in paragraph (a) above shall be selected by the Secretary-General from a list proposed by the staff representatives.

(c) Instructions or directives embodying recommendations made by the bodies referred to in paragraph (a) above shall be regarded as having satisfied the requirements of rule 108.1 (d) and (f).

(d) The joint staff-management bodies referred to in paragraph (a) shall establish their own rules and procedures.

(e) The Secretary-General shall designate secretaries of the joint staff-management bodies referred to in paragraph (a) and shall arrange for such services as may be necessary for their proper functioning.

Chapter XI

JOINT APPEALS BOARDS

Rule 111.1

Establishment

(a) Joint appeals boards shall be established in New York, Geneva, Vienna, Nairobi and at such other duty stations as may be designated by the Secretary-General to consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1.

(b) Each Joint Appeals Board shall be composed of:

(i) Chairpersons appointed by the Secretary-General from among a list presented by the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established;

(ii) Members appointed by the Secretary-General;

(iii) An equal number of members elected by ballot of the staff under the jurisdiction of the Board.

The number of chairpersons and members of each Board shall be determined by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established.

(c) The chairpersons and members of the Joint Appeals Board shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected.

(d) A chairperson may be removed from a Joint Appeals Board by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies of the duty station at which the Board is established. The members appointed by the Secretary-General may be removed by him. The members elected by the staff may be recalled by a majority vote of the staff under the jurisdiction of the Board concerned, taken at the initiative of any staff representative body at the duty station at which that Board is established.

(e) Each Joint Appeals Board shall establish its own rules of procedure, which shall specify how its presiding officer and, where necessary, any alternate presiding officers shall be selected from among the chairpersons.

(f) Each Joint Appeals Board may, by a majority vote of all its chairpersons and members, recommend to the Secretary-General changes in the present chapter of the Staff Rules.

(g) The secretariat of each Joint Appeals Board shall consist of a secretary and such other staff as may be required for its proper functioning.

Rule 111.2

Appeals

(a) A staff member wishing to appeal an administrative decision, pursuant to staff regulation 11.1, shall, as a first step, address a letter to the Secretary-General, requesting that the administrative decision be reviewed; such a letter must be sent within two months from the date the staff member received notification of the decision in writing.

(i) If the Secretary-General replies to the staff member's letter, he or she may appeal against the answer within one month of the receipt of such reply;

(ii) If the Secretary-General does not reply to the letter within one month in respect of a staff member stationed in New York, or within two months in respect of a staff member stationed elsewhere, the staff member may appeal against the original administrative decision within one month of the expiration of the time limit specified in this subparagraph for the Secretary-General's reply.

(b) At any time after a request for review has been submitted, but before a panel of the Joint Appeals Board has been constituted to hear an appeal, conciliation may be sought on the issues involved at the initiative of the Secretary-General, or the staff member, or the presiding officer of the Joint Appeals Board. The presiding officer shall refer the matter for that purpose to a chairperson or member of the Joint Appeals Board. This procedure is without prejudice to the right of the staff member to pursue an appeal under the provisions of this rule if the issues cannot be resolved through conciliation.

(c) Neither a request for administrative review under paragraph (a) above nor the filing of an appeal under paragraph (d) below shall have the effect of suspending action on the contested decision.

(i) However, the staff member concerned may request a suspension of action on such decision by writing to the Secretary of the appropriate Joint Appeals Board under paragraph (d) below. The request shall set forth the relevant facts and indicate how implementation would directly and irreparably injure the staff member's rights;

(ii) Upon receipt of such a request, a panel of the Board shall be promptly constituted, and shall act expeditiously. If the panel, after considering the views of both parties, determines that the decision has not been implemented and that its implementation would result in irreparable injury to the appellant, it may recommend to the Secretary-General the suspension of action on that decision:

a. Until the time limits specified in subparagraphs (a) (i) or (ii) have passed without an appeal having been filed, or

b. If an appeal is filed, until a decision on the appeal is taken;

(iii) The Secretary-General's decision on such a recommendation is not subject to appeal.

(d) An appeal pursuant to paragraph (a) or a request for suspension of action pursuant to paragraph (c) above shall be filed with the Secretary of the appropriate Joint Appeals Board, to be determined as follows:

(i) With respect to staff members serving at a duty station at which a Board has been established or who are administered by organizational units located at such duty station, it shall be the Board;

(ii) With respect to former staff members who last served at a duty station at which a Board has been established or who were administered by organizational units located at such a duty station, it shall be that Board;

(iii) With respect to all other staff members and all other former staff members, it shall be the Board established in New York, provided that the Secretary-General may decide, at the request of the staff member, to refer the appeal to another one of the Boards or to establish an appropriate ad hoc body. Such staff members or former staff members may meet the time limits specified in subparagraphs (a) (i) or (ii) by delivering the requisite submissions within such limits to any office of the United Nations for transmission to the appropriate Board.

(e) (i) For the consideration of each appeal, the presiding officer of the appropriate Joint Appeals Board shall constitute a panel of the Board, composed as follows:

a. A panel chairperson from among the chairpersons of the Board;

b. A member selected from among those appointed by the Secretary-General;

c. A member selected from among those elected by the staff;

(ii) In constituting such panels, the maximum possible rotation of chairpersons and members of the Board shall be observed: the modalities of such rotation shall be specified in the rules of procedure of the Board. No person who has assisted the Secretary-General in a conciliation procedure referred to in paragraph (b) shall serve on a panel established to consider an appeal relating to the same case;

(iii) Before a panel undertakes consideration of an appeal, the parties shall be notified of the proposed composition thereof. The presiding officer of the Board may, at the request of either party, disqualify the chairperson or either member if, in the opinion of the presiding officer, such action is warranted to ensure impartiality. He or she may also excuse the chairperson or either member from serving on the panel;

(iv) Subject to the principles set out in subparagraphs (i) to (iii), the presiding officer of the Board shall fill any vacancies arising on the panel.

(f) An appeal shall not be receivable unless the time limits specified in paragraph (a) above have been met or have been waived, in exceptional circumstances, by the panel constituted for the appeal.

(g) At the duty station where the appeal is considered, the designated representative of the Secretary-General shall submit a written reply within two months following the date of receipt of the appeal.

(h) Proceedings before a panel shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, in one of the working languages of the Secretariat.

(i) A staff member may arrange to have his or her appeal presented to the panel on his or her behalf by another serving or retired staff member. The staff member may not, however, be represented before the panel by any other person.

(j) Where the competence of the Joint Appeals Board is in doubt, the panel constituted for the appeal shall decide.

(k) In the case of termination or other action on grounds of inefficiency or relative efficiency, the panel shall not consider the substantive question of efficiency but only evidence that the decision was motivated by prejudice or by some other extraneous factor.

(l) The panel shall have authority to call members of the Secretariat who may be able to provide information concerning the issues before it and shall have access to all documents pertinent to the case. Notwithstanding the preceding sentence, should the panel wish to have information or documents relating to the proceedings of the appointment and promotion bodies in questions involving appointment and promotion, it shall request such information or documents from the Chairperson of the Appointment and Promotion Board, who shall decide on the panel's request, taking into account the interests of confidentiality. This decision of the Chairperson is not subject to appeal. The Chairperson of the panel shall determine which documents are to be transmitted to all members of the panel and the parties.

(m) In considering an appeal, the panel shall act with the maximum dispatch consistent with a fair review of the issues before it.

(n) Within one month of the date on which the consideration of an appeal has been completed, the panel shall, by majority vote, adopt and submit a report to the Secretary-General. The report shall be considered as constituting a record of the proceedings in the appeal and may include a summary of the matter as well as all recommendations that the panel considers appropriate. Votes on the recommendations shall be recorded and any member of the panel may have his or her dissenting opinion included in the report.

(o) Notwithstanding the above, if the appeal involves a claim having a cumulative maximum value not in excess of one thousand and five hundred dollars ($1,500), on account of salary, emoluments or any other entitlement under the Staff Regulations and Staff Rules, such claim shall be considered a "small claim" and shall be dealt with accordingly under appropriate rules of procedure which the Joint Appeals Board competent to hear the appeal may have adopted. Such rules may require the designated representative of the Secretary-General to submit comments within thirty days of receipt of the claim from the Joint Appeals Board secretariat.

(p) The final decision on the appeal will normally be taken by the Secretary-General within one month after the panel has forwarded its report, and shall be communicated to the staff member, together with a copy of the panel's report. The Secretary-General's decision and a copy of the panel's report shall also be transmitted to a designated officer of the staff representative body or bodies at the duty station at which the Joint Appeals Board is established, unless the staff member objects.

(q) To enable staff members to exercise their right to make application to the Administrative Tribunal under article 7, paragraphs 2 (b) and (c), of its statute, the Secretary of the Joint Appeals Board concerned shall, at the request of the staff member, communicate to him or her the report of the panel, if the Secretary-General has not made a decision upon the report within a period of one month after the date on which the report was submitted to him.

United Nations ST/SGB/1999/13

Secretariat

6 August 1999

Secretary-General's Bulletin

Observance by United Nations forces of international humanitarian law

The Secretary-General, for the purpose of setting out fundamental principles and rules of international humanitarian law applicable to United Nations forces conducting operations under United Nations command and control, promulgates the following:

Section 1
Field of application

1.1 The fundamental principles and rules of international humanitarian law set out in the present bulletin are applicable to United Nations forces when in situations of armed conflict they are actively engaged therein as combatants, to the extent and for the duration of their engagement. They are accordingly applicable in enforcement actions, or in peacekeeping operations when the use of force is permitted in self-defence.

1.2 The promulgation of this bulletin does not affect the protected status of members of peacekeeping operations under the 1994 Convention on the Safety of United Nations and Associated Personnel or their status as non-combatants, as long as they are entitled to the protection given to civilians under the international law of armed conflict.

Section 2
Application of national law

The present provisions do not constitute an exhaustive list of principles and rules of international humanitarian law binding upon military personnel, and do not prejudice the application thereof, nor do they replace the national laws by which military personnel remain bound throughout the operation.

Section 3
Status-of-forces agreement

In the status-of-forces agreement concluded between the United Nations and a State in whose territory a United Nations force is deployed, the United Nations undertakes to ensure that the force shall conduct its operations with full respect for the principles and rules of the general conventions applicable to the conduct of military personnel. The United Nations also undertakes to ensure that members of the military personnel of the force are fully acquainted with the principles and rules of those international instruments. The obligation to respect the said principles and rules is applicable to United Nations forces even in the absence of a status-of-forces agreement.

Section 4
Violations of international humanitarian law

In case of violations of international humanitarian law, members of the military personnel of a United Nations force are subject to prosecution in their national courts.

Section 5
Protection of the civilian population

5.1 The United Nations force shall make a clear distinction at all times between civilians and combatants and between civilian objects and military objectives. Military operations shall be directed only against combatants and military

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objectives. Attacks on civilians or civilian objects are prohibited.

5.2 Civilians shall enjoy the protection afforded by this section, unless and for such time as they take a direct part in hostilities.

5.3 The United Nations force shall take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians or damage to civilian property.

5.4 In its area of operation, the United Nations force shall avoid, to the extent feasible, locating military objectives within or near densely populated areas, and take all necessary precautions to protect the civilian population, individual civilians and civilian objects against the dangers resulting from military operations. Military installations and equipment of peacekeeping operations, as such, shall not be considered military objectives.

5.5 The United Nations force is prohibited from launching operations of a nature likely to strike military objectives and civilians in an indiscriminate manner, as well as operations that may be expected to cause incidental loss of life among the civilian population or damage to civilian objects that would be excessive in relation to the concrete and direct military advantage anticipated.

5.6 The United Nations force shall not engage in reprisals against civilians or civilian objects.

Section 6
Means and methods of combat

6.1 The right of the United Nations force to choose methods and means of combat is not unlimited.

6.2 The United Nations force shall respect the rules prohibiting or restricting the use of certain weapons and methods of combat under the relevant instruments of international humanitarian law. These include, in particular, the prohibition on the use of asphyxiating, poisonous or other gases and biological methods of warfare; bullets which explode, expand or flatten easily in the human body; and certain explosive projectiles. The use of certain conventional weapons, such as non-detectable fragments, anti-personnel mines, booby traps and incendiary weapons, is prohibited.

6.3 The United Nations force is prohibited from employing methods of warfare which may cause superfluous injury or unnecessary suffering, or which are intended, or may be expected to cause, widespread, long-term and severe damage to the natural environment.

6.4 The United Nations force is prohibited from using weapons or methods of combat of a nature to cause unnecessary suffering.

6.5 It is forbidden to order that there shall be no survivors.

6.6 The United Nations force is prohibited from attacking monuments of art, architecture or history, archaeological sites, works of art, places of worship and museums and libraries which constitute the cultural or spiritual heritage of peoples. In its area of operation, the United Nations force shall not use such cultural property or their immediate surroundings for purposes which might expose them to destruction or damage. Theft, pillage, misappropriation and any act of vandalism directed against cultural property is strictly prohibited.

6.7 The United Nations force is prohibited from attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population, such as foodstuff, crops, livestock and drinking-water installations and supplies.

6.8 The United Nations force shall not make installations containing dangerous forces, namely dams, dikes and nuclear electrical generating stations, the object of military operations if such operations may cause the release of dangerous forces and consequent severe losses among the civilian population.

6.9 The United Nations force shall not engage in reprisals against objects and installations protected under this section.

Section 7
Treatment of civilians and persons *hors de combat*

7.1 Persons not, or no longer, taking part in military operations, including civilians, members of armed forces who have laid down their weapons and persons placed *hors de combat* by reason of sickness, wounds or detention, shall, in all circumstances, be treated humanely and without any adverse distinction based on race, sex, religious convictions or any other ground. They shall be accorded full respect for their person, honour and religious and other convictions.

7.2 The following acts against any of the persons mentioned in section 7.1 are prohibited at any time and in any place: violence to life or physical integrity; murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment; collective punishment; reprisals; the taking of hostages; rape; enforced prostitution; any form of sexual assault and humiliation and degrading treatment; enslavement; and pillage.

7.3 Women shall be especially protected against any attack, in particular against rape, enforced prostitution or any other form of indecent assault.

7.4 Children shall be the object of special respect and shall be protected against any form of indecent assault.

Section 8
Treatment of detained persons

The United Nations force shall treat with humanity and respect for their dignity detained members of the armed forces and other persons who no longer take part in military operations by reason of detention. Without prejudice to their legal status, they shall be treated in accordance with the relevant provisions of the Third Geneva Convention of 1949, as may be applicable to them *mutatis mutandis*. In particular:

(a) Their capture and detention shall be notified without delay to the party on which they depend and to the Central Tracing Agency of the International Committee of the Red Cross (ICRC), in particular in order to inform their families;

(b) They shall be held in secure and safe premises which provide all possible safeguards of hygiene and health, and shall not be detained in areas exposed to the dangers of the combat zone;

(c) They shall be entitled to receive food and clothing, hygiene and medical attention;

(d) They shall under no circumstances be subjected to any form of torture or ill-treatment;

(e) Women whose liberty has been restricted shall be held in quarters separated from men's quarters, and shall be under the immediate supervision of women;

(f) In cases where children who have not attained the age of sixteen years take a direct part in hostilities and are arrested, detained or interned by the United Nations force, they shall continue to benefit from special protection. In particular, they shall be held in quarters separate from the quarters of adults, except when accommodated with their families;

(g) ICRC's right to visit prisoners and detained persons shall be respected and guaranteed.

Section 9
Protection of the wounded, the sick, and medical and relief personnel

9.1 Members of the armed forces and other persons in the power of the United Nations force who are wounded or sick shall be respected and protected in all circumstances. They shall be treated humanely and receive the medical care and attention required by their condition, without adverse distinction. Only urgent medical reasons will authorize priority in the order of treatment to be administered.

9.2 Whenever circumstances permit, a suspension of fire shall be arranged, or other local arrangements made, to permit the search for and identification of the wounded, the sick and the dead left on the battlefield and allow for their collection, removal, exchange and transport.

9.3 The United Nations force shall not attack medical establishments or mobile medical units. These shall at all times be respected and protected, unless they are used, outside their humanitarian functions, to attack or otherwise commit harmful acts against the United Nations force.

9.4 The United Nations force shall in all circumstances respect and protect medical personnel exclusively engaged in the search for, transport or treatment of the wounded or sick, as well as religious personnel.

9.5 The United Nations force shall respect and protect transports of wounded and sick or medical equipment in the same way as mobile medical units.

9.6 The United Nations force shall not engage in reprisals against the wounded, the sick or the personnel, establishments and equipment protected under this section.

9.7 The United Nations force shall in all circumstances respect the Red Cross and Red Crescent emblems. These emblems may not be employed except to indicate or to protect medical units and medical establishments, personnel and material. Any misuse of the Red Cross or Red Crescent emblems is prohibited.

9.8 The United Nations force shall respect the right of the families to know about the fate of their sick, wounded and deceased relatives. To this end, the force shall facilitate the work of the ICRC Central Tracing Agency.

9.9 The United Nations force shall facilitate the work of relief operations which are humanitarian and impartial in character and conducted without any adverse distinction, and shall respect personnel, vehicles and premises involved in such operations.

Section 10
Entry into force

The present bulletin shall enter into force on 12 August 1999.

(*Signed*) Kofi A. **Annan**
Secretary-General

United Nations ST/SGB/1999/14

Secretariat

30 July 1999

Secretary-General's bulletin

Organization of the United Nations Office at Geneva

The Secretary-General, pursuant to Secretary-General's bulletin ST/SGB/1997/5, entitled "Organization of the Secretariat of the United Nations", and for the purpose of establishing the organizational structure of the United Nations Office at Geneva (UNOG),* promulgates the following:

Section 1

General provision

The present bulletin shall apply in conjunction with Secretary-General's bulletin ST/SGB/1997/5, entitled "Organization of the Secretariat of the United Nations".

Section 2

Functions and organization

2.1 The United Nations Office at Geneva (UNOG) serves as the representative office of the Secretary-General at Geneva and performs representation and liaison functions with permanent missions, the host Government and other Governments, intergovernmental and non-governmental organizations, research and academic institutions at Geneva, and other organizations of the United Nations common system at Geneva; facilitates inter-agency cooperation and cooperation with regional organizations; provides administrative and other support services for the Conference on Disarmament, as well as the Office of the United Nations High Commissioner for Human Rights; manages the United Nations facilities at Geneva and provides conference services for the United Nations meetings held at Geneva and other locations, as well as for the specialized agencies under standing or special arrangements.

2.2 The Office is divided into organizational units, as described in the present bulletin.

2.3 The Office is headed by a Director-General, who also serves as the Secretary-General of the Conference on Disarmament. The Director-General and the officials in charge of each organizational unit, in addition to the specific functions set out in the present bulletin, perform the general functions applicable to their positions, as set out in Secretary-General's bulletin ST/SGB/1997/5.

Section 3

Director-General

3.1 The Director-General is accountable to the Secretary-General.

3.2 The Director-General is responsible for all activities of the United Nations Office at Geneva; represents the Secretary-General in relations with permanent missions and the regional organizations and arrangements, and deals with the Swiss authorities in matters relating to the relevant privileges and immunities of staff of the United Nations system in Switzerland; maintains cooperation with the specialized agencies and programmes based in Switzerland and Europe as well as with other intergovernmental and non-governmental organizations and established institutions, including research and academic institutions, headquartered in Europe; provides the Secretary-General with advice and

* UNOG is located in the former headquarters of the League of Nations, the Palais des Nations, which became the property of the United Nations in 1946.

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support on the work of the Conference on Disarmament and Geneva-based disarmament activities; and undertakes special political assignments and representation as requested by the Secretary-General.

Section 4

Office of the Director-General

4.1 The Office of the Director-General is headed by a Chef de Cabinet who is accountable to the Director-General.

4.2 The core functions of the Office are as follows:

(a) Maintaining liaison with permanent missions, academic institutions and non-governmental organizations in consultative status with the Economic and Social Council and facilitating their participation in United Nations activities;

(b) Carrying out protocol and liaison functions with the authorities of the host country, and advising and assisting the Geneva Diplomatic Committee in its work;

(c) Arranging consultations among heads of specialized agencies, United Nations programmes at Geneva and the Director-General, and providing briefings and services to these entities and to Administrative Committee on Coordination (ACC) related meetings, as appropriate;

(d) Coordinating electronic information dissemination, in particular via the Internet, to the permanent missions, intergovernmental organizations and the public;

(e) Advising the Director-General on issues pertaining to cooperation with regional organizations, undertaking in-depth analyses on regional and international security and political issues;

(f) Representing the Legal Counsel at Geneva, assisting the Director-General in all legal matters, and liaising with the host country and other authorities concerning privileges and immunities and other questions affecting United Nations agreements;

(g) Servicing the Conference on Disarmament and monitoring multilateral disarmament treaties and conventions, fellowship and training programmes.

Section 5

Division of Administration

5.1 The Division of Administration is headed by a Director who is accountable to the Director-General.*

5.2 The core functions of the Division are as follows:

(a) Providing direction and coordination in the personnel, financial and general services of the United Nations Office at Geneva, including management and utilization of United Nations premises and coordinating human resources, financial and administrative policies with the other Geneva-based organizations;

(b) Carrying out implementing and monitoring functions for policy implementation and other issues related to human resources, financial and general services management as determined by the Under-Secretary-General for Management;

(c) Providing financial, budgeting and accounting services, including controlling, approving and recording accounting transactions, controlling calculation and payment of salaries and other entitlements of United Nations staff at Geneva as well as in the field offices of the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Conference on Trade and Development (UNCTAD) and the International Trade Centre (ITC), as well as other payments, and providing secretariat services to the United Nations Staff Mutual Insurance Society against Sickness and Accident;

(d) Managing human resource requirements of the United Nations offices and units at Geneva, including recruitment guidance and training, supervision and implementing personnel administration policies in accordance with the Staff Regulations and Rules;

(e) Providing administrative and general services for United Nations meetings held at Geneva and for specialized agencies under standing or special arrangements between the United Nations and the agencies concerned;

(f) Providing procurement, transportation, travel and other services, including catering services, control of inventory, stock and property, coordination of arrangements

* The Director of the Division of Administration, like other Directors of Administration and Executive Officers, is accountable first and foremost to the head of the department, as a partner in administration for programme implementation. Directors of Administration and Executive/Administrative Officers are also accountable to the central administration for the appropriate utilization of resources, both human and financial.

for special events, and servicing the UNOG Property Survey Board;

(g) Ensuring the safety and security of persons and property at the Palais des Nations, including providing special security services for conferences and other events, and for United Nations officials, as required;

(h) Providing building and engineering services, including space planning and allocation of offices and maintenance of a register of land properties at Geneva belonging to the United Nations;

(i) Managing the implementation of all Integrated Management Information System (IMIS) releases at the United Nations Office at Geneva, including coordinating and advising substantive areas and other United Nations offices at Geneva, providing technical infrastructure and support mechanisms, planning, developing and implementing bridges to existing systems which will not be incorporated into IMIS, and providing training and user support and facilitating user meetings.

Section 6

The UNOG Library

6.1 The Library is headed by a Chief Librarian who is accountable to the Director-General.

6.2 The core functions of the UNOG Library are as follows:

(a) Providing general information, library collections, electronic services and specialized research facilities for users from the Secretariat, Permanent Missions, United Nations affiliates and agencies, NGOs, the press and the academic or professional world;

(b) Acquiring and preserving library materials and United Nations documentation, including data processing relating to these collections, by cataloguing and indexing their contents and publishing bibliographical reference works for information retrieval purposes;

(c) Preserving and providing research facilities for accessing materials in the League of Nations Archives.

Section 7

United Nations Information Service

7.1 The United Nations Information Service (UNIS) is headed by a Director who is accountable to the Director-General.

7.2 The United Nations Information Service serves as the United Nations Information Centre for Switzerland, and provides support to the Director-General with regard to information services for international conferences, intergovernmental meetings and media relations.

Section 8

Final provisions

8.1 The present bulletin shall enter into force on 1 August 1999.

8.2 Secretary-General's bulletin of February 1976, entitled "Functions and organization of the United Nations Office at Geneva" (ST/SGB/Organization, section S and Corr.1 and Amend.1), is hereby abolished.

(*Signed*) Kofi A. **Annan**
Secretary-General